

James Whitehead,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:09 CV 483 CDP
)	
Bobby Garrett,)	
)	
Defendant.)	

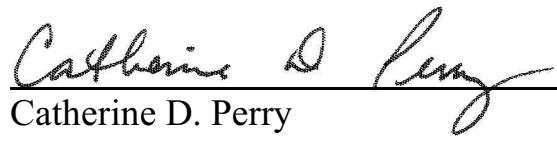
This matter is before the Court on Plaintiff's Motion for Appointment of Counsel. The Court has reviewed the pleadings in this matter and is of the opinion that appointment of counsel would best serve the interest of justice.

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel [#36] is granted, and Michael J. Sewell, BERGER AND COHEN, 8000 Maryland Avenue, Suite 1550, Clayton, MO, 63105, phone 314-721-7272, fax 314-721-1668, is appointed to represent plaintiff in this matter. The Clerk of the Court shall provide plaintiff's newly-appointed counsel with a PACER fee exemption for this case so he can receive filings without cost. The Court understands that because of Mr. Whitehead's incarceration, appointed counsel will be required to confer with him by mail or telephone; the Court does not expect appointed counsel to be required to travel to the prison where plaintiff is located.

IT IS FURTHER ORDERED that the deadlines in the Case Management Order are suspended pending further order of the court, and plaintiff's other motions [# 35, 40] are denied as moot.

IT IS FURTHER ORDERED that the court will hold a telephone scheduling conference with both counsel on **Thursday, September 16, 2010 at 2:00 p.m.** The Court will place the call. In advance of the conference, counsel shall meet and confer with one another and attempt to reach agreement on a schedule for resolving the case.

Dated this 23rd day of July, 2010.



Catherine D. Perry
United States District Judge